

CITY OF SYLVAN LAKE
REGULAR MEETING
NOVEMBER 18, 2009

A Regular Meeting of the Sylvan Lake City Council was held on Wednesday, November 18, 2009; opening at 7:43 p.m. Mayor Lorenz presided over the Pledge of Allegiance.

Present: Lorenz, Maurina, Meskin, Wiegand, Zubrzycki

Absent: None

Also Present: City Manager Martin, Clerk Clippert and City Attorney Bibeau

Yes: All

No: None

MOTION CARRIED

APPROVAL OF AGENDA

Moved by Wiegand, seconded Maurina, to approve the City Council Agenda for November 18, 2009, as submitted.

Yes: All

No: None

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Zubrzycki, seconded Maurina, to approve the following minutes as presented:

October 14, 2009 Public Hearing

October 14, 2009 Regular Meeting

Yes: All

No: None

MOTION CARRIED

APPROVAL OF DISBURSEMENTS

Moved by Wiegand, seconded Maurina, to approve the voucher report for November totaling \$250,510.30.

Sept Payroll	\$ 50,235.71	Check #'s	10916-10929
			DD684-DD714
			EFT282-EFT295

Accts Pay-Oct-Nov \$200,274.59 Check #'s 44277-44380
Totaling \$250,510.30 E0000000092-E0000000096

Yes: All
No: None

MOTION CARRIED

ACCEPTANCE OF REPORTS

Mayor Lorenz received the DPW report and the City Attorney report for the month of October 2009, and the Police Department report for September 2009 and asked that they be placed on file.

COMMITTEE REPORTS

There were no reports.

BRIEF PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Dennis Cassar reviewed at the millage presentation it was stated that even if the millage passed, cuts would still need to be made. He would like to see the boat dock fees increased, the police force needs an overhaul and he feels the City Manager doesn't need a truck. The city should not be paying for insurance or fuel for that truck.

Paul Goldman would like to see dock spaces open to non-residents. He is not sure what the true value of a dock space is, but like to find this out. Pine Lake and Cass Lake charges from \$1800-\$3000. He expressed the millage passing is good. Now the council needs to evaluate how the rest of the city is running.

Mark Landau agreed with the millage passing, this is only the beginning for what the city really needs. He understands the reluctance to open anything to the public, but suggested trying it for a year to see how it goes. Council can always rescind it. They need sources of revenue coming into the city.

Annette Meskin is opposed to this. She feels more police would be needed if they open to the public. The value of their homes is higher with the private benefits. She feels they need to look at this further before just doing it. She believes it will anger a lot of residents.

Steve Stein agrees people move here for the docks and privacy. He asked what happened with the leaf equipment since the city is not doing the collection. Martin explained one machine was sold and the other they are holding onto. It is used on City property and the council agreed to

keep one in case it didn't workout with Richfield.

Bill Stevens feels the dock fee should be increased if they don't open to the public. He understands there were open spaces last year that were never filled. Lorenz stated there were four which the city was unable to fill.

Barbara Meskin stated she is on the dock wait list and didn't get a call saying there were spaces available.

Dennis Cassar stated people are willing to pay if they are offered the space. He feels there is major missmanagement. He added the increase fee which was for seawalls; the money is in the general fund. The seawalls are a major liability and should be repaired.

Patty Harrop clarified new paperwork went out to all those on the waitlist saying City Hall will only call a pertinent number of people on the waitlist and it is the responsibility of those on the waitlist to call City Hall to see if there are available spaces. It is a privilege, not a right. The committee worked hard on charging this.

Mark Landau feels property values increase when you can get a dock space right away. He agrees it is important to establish a market value of the dock spaces.

Brad Conkey concurred with Harrop on the changes that were made by the dock committee. He is happy the millage passed, although he feels it is a short-term patch. Property values have dropped on an average of 12%. He feels they should put off on purchasing a police vehicle. Also he feels the police department needs to take a sensitivity class. He heard how an officer passed on another neighbor's business. He reminded there are privacy laws and this action could lead to a lawsuit. He is not in favor of opening the docks to non-residents. He doesn't believe it is fair to tax out our residents so non-residents can get a dock space. He reminded everyone, other lakes that have a marina, the price includes the dock, the installation of the dock and insurance.

Bill Stevens questioned the cost and number of spaces available for the RV storage. Lorenz stated it is \$400; there are 65 spaces and nine have not been filled. Stevens believes the increase in the fee is doing the job. It brought in more revenue. They should do the same with the boat docks.

Luke Cassar stated they need to look at the bottom number. It is ok to have some empty spaces. He feels it is a privilege to have a dock space for \$250.

Bill Stevens doesn't understand how council can charge less for a space on water than a space on asphalt.

Paul Goldman feels the police are too nice. They need to give out more tickets and increase the

fees on tickets. It will cut down on speeders, accidents and raise revenues.

CITY MANAGER COMMENTS

Election

Martin thanked Clerk Clippert on running a successful election. He shared the voter turnout was lower than he expected with the millage proposal on the ballot.

Water Shut-Off

Martin explained the City of Detroit notified him on Monday that they would be completely shutting off the water for the whole city on Wednesday. He talked to surrounding communities and found they are only going to have low pressure. He tried to some way get an emergency connection with them, but was unable to. Notification was given to every household and again when it was turned back on. A boil alert notification was also provided as a precautionary measure.

Leaf Collection

Richfield is working hard to get the leaves picked up. They had a setback when something was in one of the piles of leaves and broke the machine.

Recycling Workshop

Martin announced there will be a recycling workshop December 2 at the Community Center. They will review the reward for recycling program and have samples of the available bins.

Sanitary Lift Station

Martin explained the lift station at Garland between Warwick and Beverly this is in need of repair. He is getting bids for new pumps and controls and will bring it before City Council for approval.

Police Dept.

A full-time officer left the city and went to a bigger department. As a cost cutting measure, they have temporarily filled this position with part-time and the Chief is working another day by himself.

CCIRF (Oakland County's Capital and Cooperative Initiative Revolving Fund)

There will be a kick-off meeting next Tuesday. Martin explained the program is offered to municipalities who are interested in combining services with other municipalities. The County looks at everything and ways to work together or joining together. The estimated cost is \$45,000, which the County pays. It is to encourage communities to do this, to save money.

Millage

Martin expressed it is a good thing that the millage passed. Comments have been well received. Taxable values are still dropping which directly affect our revenues.

Council

Martin congratulated Maurina and Meskin on winning the election. He thanked John Shepp for his time on City Council.

Tim Horton's

Martin congratulated Tim Horton's on the scheduled opening. They are scheduled to open November 30th and a grand opening January 8th.

CITY COUNCIL COMMENTS

Zubrzycki congratulated Maurina and Meskin and Lorenz on being Mayor for another year. He feels Lorenz is doing a good job on the meetings. He encouraged everyone to attend the study sessions in addition to the regular meetings.

Zubrzycki commented on the City Manager having a truck. Council did investigate what other City Manager's get through out Michigan and found the city is getting a very good value with our City Manager.

Maurina congratulated Meskin and also thanked John Shepp. She stated Shepp stood up for issues he believed in. She announced there will be a study session December 2nd. They will use this as an organizational meeting to discuss what to do for the next year. She stated the city doesn't have an open checkbook.

Wiegand asked Martin if he contacted DTE regarding lighting the sign at the Community Center. Martin has not.

Wiegand acknowledged the negative flyers which were put in mailboxes before the election. He stated it is a federal offense to put anything in or on a mailbox. He suggested this go in the newsletter.

He assured everyone City Council is looking at ways of cutting costs.

Wiegand asked about costs with the tax tribunal and how this is handled. Bibeau explained Oakland County Equalization handles residential and commercial is handled through his office. If an appraisal is required it is brought before City Council for approval.

Lastly Wiegand asked how many household are now participating in the rewards for recycling. Martin informed him he is not sure because that is not handled through the City. Martin can get that information for council.

Meskin thanked everyone for voting for him and congratulated Maurina. He also thanked the voters for passing the millage. He is looking forward to working with everyone.

Lorenz congratulated Maurina and Meskin; and thanked John Shepp for his efforts on City Council. He also thanked the voters for passing the Charter Amendment. He added, they will have a better knowledge of what the city will get in revenue with this Charter Amendment around February-March. He stated the police department has a tough job and he understands it is hard to be sensitive, but feels it is good advise.

ACTION ITEMS

a. Consideration to Approve 2010 GWBCCC Budget

Albery explained the Commission is proposing a budget of 9.8% less than 2009. Also to align expenditures in 2010 with each community's share of revenue. Sylvan Lake's share over the past four quarters was 2.6% and the city will therefore support 2.6% of the Commission's budget, 16.3% less than 2009.

Maurina thanked Albery and Loren Maurina for their work on reducing this budget.

Moved by Maurina, seconded Meskin, to approve the 2010 GWBCCC budget as presented.

Yes: Zubrzycki, Lorenz, Maurina, Shepp, Wiegand
No: None

RESOLUTION ADOPTED

b. Consideration to Approve Community Center Policy -Fees for Use Types

Martin is still working on the changes and will bring to them to council when they are completed.

c. Discussion of Noise Ordinance

Martin stated the Planning Commission met last night and discussed minor changes. He and the City Attorney will now review it and then it will go back to Planning Commission for review. A public hearing will then be held and then it will come before City Council.

Zubrzycki feels the proposed ordinance is a workable solution that should help everyone. The intent is for repeat offenders to stop unwanted noise.

d. Discussion of RVA Space Rental to Non-Residents

Martin explained all the residents on the RVA wait list were contacted and 10 RV spaces remain available.

Wiegand feels increasing the fee created a lot of vacancies. Lorenz explained the city hasn't lost revenue because of it. Maurina suggested it be opened up to all resident. It can be put in the newsletter on cable tv. Lorenz suggested giving them 60 days to respond before opening it up to non-residents.

Meskin asked if they would get a reduced rate if they are renting it from Dec-Oct. Lorenz stated it requires Council approval.

Moved by Meskin, seconded Wiegand, to approve allowing the proration of the RVA fee.

Yes: All

No: None

MOTION CARRIED

Zubrzycki shared Madison Heights has RV storage for \$120 year. Martin asked how many communities have this feature/amenity. Zubrzycki acknowledge there were not many.

e. Discussion of Boat Dock Space Rental to Non-Residents

Lorenz suggested they talk with the DEQ before proceeding with this. Martin is willing to do this, but would like Council to be sure they are serious about this.

Lorenz would like to change the dock policy so people who take a one-year space this becomes a permanent space for them. This way they aren't buying a boat and then next year they don't have a dock space because their name didn't come up. Martin would love to do away with the ability to waive for a year.

Steve Stein asked if there is a problem for those on the wait list with not owning a boat when a spaces comes open. Martin agreed that is one of the problems. Stein suggested they do away this requirement. If someone wants to have a dock and just sit out there, let them.

Meskin would like to get a copy of the current policy before changing it.

Zubrzycki asked if they want to kick it back to the committee to study and have them also work on getting a true value.

Lorenz asked to put this on the study session agenda.

f. Discussion of Marine Division Patrol on Sylvan Lake

Martin received a copy of a letter to Phil Thomas, President of the Sylvan Otter Lake Association. The OCSD Marine Division will not be patrolling the inland lakes due to budget cuts. The letter provided a list of hours spent on the lake. Last year the Marine division logged 307.75 hours on the lake. The cost to patrol the lake would be approximately \$35/hour; this includes personnel and equipment. The cost would be approximately \$11,000 based on last years hours.

Martin recommended the city not paying for this. It should not be a city endeavor ever. He wouldn't be opposed to speaking with Phil Thomas to ask him what their plans are for soliciting funds from the lakefront properties to pay for this.

Meskin suggested having everyone pay \$20 to help cover this cost. Martin doesn't believe they should do this. Lorenz reminded them this letter was for the Sylvan Otter Association.

Joel Must asked how many households are lakefront. Martin didn't know. Must stated he would be willing to donate \$50-\$100 a year.

Luke Cassar asked if the local police has jurisdiction over the water. Chief Silver stated if the Sheriff Department is on the water they handle it. Cassar questioned the shoreline. Chief Silver said technically it is suppose to be the Marine Division, but the City will react to any emergency.

Barb Meskin stated the Sheriff will go out if needed. They have a space at the Boat Club.

Wiegand feels it is important to work this out. Martin will talk to Phil Thomas.

g. Discussion to Open Parks to the Public

Martin explained a park tag could be sold to a non-residents at a higher rate. You can limit the number to be sold. By doing this the park would be considered public, which means the city wouldn't have to pay property taxes. The city pay around \$3,500 for property taxes at Ferndale Park (minus the amount the city levies on the tax bill). By doing this it would save money on

expenses and bring in revenue. A park ranger would still be available to check tags. Martin clarified the \$3,500 which is for taxes is paid by the residents who use the parks with the \$35 park registration fee. Also if the parks are open to the public there is the possibility to receive grant money for park improvements. Right now the city is not qualified because the parks are closed to the public.

Wiegand is opposed to this. Lorenz feels it is a slippery slope yet it still can be regulated because they would have to get a park tag, but for now he would like to wait on this.

Zubrzycki asked if there is some reasonableness with cost that the city can charge. Martin agreed. It can be higher, but it has to be reasonable.

Luke Cassar feels \$3500 for park taxes is nominal and agrees it is a slippery slope. He agreed it is not worth opening it up.

Mark Landau asked if strings are attached with grant money. Would they be able to closed the parks in year from now if grant money was used. Lorenz confirmed once grant money is accepted there is no going back.

Luke Cassar asked if the trail is public and if grants are available for it. Martin informed him it is public. There are no grants for maintaining it, only to purchase it. Brad Conkey asked if the city could sell this property. Martin stated the grant money would have to be paid back.

Patty Harrop asked if the park values can be lowered with the assessor. Martin said they are reviewed regularly.

Wiegand again stated it would not be good to open the parks to the public with the bridge going up on Pontiac's side.

Moved by Meskin, seconded Maurina, to remove opening Ferndale Park to the public, from the agenda.

Yes: All
No: None

MOTION CARRIED

h. Discussion of Opening Community Center Rental to Public

Maurina would like to wait until a full year's worth of revenues are collected. Then publicize it so residents can fully discuss it. If they open it to the public they would need someone to oversee it after each event.

Zubrzycki asked how they would go about opening it to the public. Martin stated it would have to be publicized.

Martin agrees with watching the inspections. It takes more than one person to see everything. It would be nice to have someone really market it and sell it if they are serious about opening it to the public.

Bill Stevens stated if the building is open to the public then the tax would be gone and that savings could go towards having someone inspecting and cleaning the building.

Joel Must asked if the building is costing more than anticipated. Lorenz informed him they are working on a cost study now.

Luke Cassar stated there shouldn't be a lot of upkeep cost or maintenance cost. He feels the DPW should be able to handle it.

Brad Conkey shared he is an appraiser and banquet centers are dying now. It is not the time to open to public, but encouraged council to take whatever they can get.

Moved by Meskin, seconded Zubrzycki, to table until January when they have a better understanding of the revenues and expenses.

Yes: All

No: None

MOTION CARRIED

i. Consideration to Approve Purchase of Police Car

Dennis Cassar feels a car isn't needed until they handle personnel and if they are looking at possible merger with Keego, why get a car at all.

Joel Must inquired if the cars have GPS. Chief Silver informed him they do. Dispatch has the ability to turn them on or off. Must ask if the DPW trucks have GPS. Martin stated they don't.

Steve Stein asked how many police cars the city has. Chief Silver stated three cars running 24 hours a day.

Luke Cassar feels repairs of \$2800 year is cheaper than the cost for a new vehicle.

Brad Conkey feels they should follow the County's lead and wait until they have 100,000 miles on them.

Lorenz would like to wait until they are working on the budget in February and March.

Moved by Wiegand, seconded Maurina, to table the purchase of a police vehicle until March.

Yes: All
No: None

MOTION CARRIED

Zubrzycki asked what likely hood is for getting grant money to purchase the laptops for the cars. He stated the County is revamping theirs. Chief Silver stated he did speak with them about four months ago and they wouldn't do that. Silver stated they replaced the one laptop and now they are good.

Lorenz asked if it would beneficial to have cameras and recording equipment in the vehicles to document traffic stops. Chief Silver stated there is money available through Risk Management with a RAP grant. Maurina doesn't want to ask anyone to spend time on this until they get their priorities in order and know where they are at with the budget. Wiegand asked how much time it would take to get these costs. The Chief stated no much. Zubrzycki likes the idea and feels it does no harm getting the information for the budget.

Moved by Meskin, seconded Wiegand, to have the City Manager investigate getting cameras/recording equipment for the police vehicles and also find out how much money is available with the RAP grant.

Yes: All
No: None

MOTION CARRIED

j. Approval of Appointment of Council Member to the Planning Commission

Mayor Lorenz recommended Russ Meskin as council member to the Planning Commission for the next year.

Moved by Wiegand, seconded Maurina, to approval Mayor's recommendation to appoint Russ Meskin, as council member, to the Planning Commission for the next year.

Yes: All
No: None

MOTION CARRIED

NON-ACTION ITEMS

- a. Appointment of Parks and Recreation Committee members
- b. Security for Ferndale Park, Restroom and Boat Launch
- c. Community Center Parking Lighting
- d. City Entrance/Identification Signs

- e. Appointment to the GWBCAB for a three-year term
- f. Discussion on Broadcasting Council meetings

There was nothing new to report for these agenda items.

NEWSLETTER AND CABLE INPUT

RV spaces available to all residents.

ADJOURNMENT

Moved by Wiegand, seconded Maurina, to adjourn the regular City Council Meeting.

Yes: All

No: None

MOTION CARRIED

The meeting was adjourned at 9:59 p.m.

Dennise Clippert, City Clerk